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ATTORNEYS FOR REPRESENTATIVE  
 PLAINTIFF RADIO CITY, INC.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

IN RE TELESCOPES ANTITRUST  
 LITIGATION

This Document Relates to:

SPECTRUM SCIENTIFICS LLC, RADIO  
 CITY, INC., and those similarly situated,

Plaintiffs,

v.

CELESTRON ACQUISITION, LLC, SUZHOU  
 SYNTA OPTICAL TECHNOLOGY CO., LTD.,  
 SYNTA CANADA INT'L ENTERPRISES  
 LTD., SW TECHNOLOGY CORP., OLIVON  
 MANUFACTURING CO. LTD., OLIVON USA,  
 LLC, NANTONG SCHMIDT OPTO-  
 ELECTRICAL TECHNOLOGY CO. LTD.,  
 NINGBO SUNNY ELECTRONIC CO., LTD.,  
 PACIFIC TELESCOPE CORP., COREY LEE,  
 DAVID SHEN, SYLVIA SHEN, JACK CHEN,  
 JEAN SHEN, JOSEPH LUPICA, DAVE  
 ANDERSON, LAURENCE HUEN, and DOES  
 1-50,

Defendants.

Case No. 5:20-cv-03639-EJD

Case No. 5:20-cv-03642-EJD

**DECLARATION OF MATTHEW  
 BORDEN IN SUPPORT OF DIRECT  
 PURCHASER PLAINTIFFS'  
 ADMINISTRATIVE MOTION TO  
 CONSIDER WHETHER ANOTHER  
 PARTY'S MATERIAL SHOULD BE  
 SEALED**

**Compl. Filed:** June 1, 2020  
**Third Am.** August 31, 2021  
**Compl. Filed:**  
**Trial Date:** None Set

1 I, Matthew Borden, declare:

2 1. I am licensed to practice before this Court and am counsel of record for Direct  
3 Purchaser Plaintiffs (“DPPs”). I make this declaration based on personal knowledge. If called as a  
4 witness, I could and would testify competently to the facts stated herein.

5 2. I make this declaration in support of DPPs’ Administrative Motion to Consider  
6 Whether Another Party’s Material Should Be Sealed, filed concurrently with DPPs’ Notice of  
7 Errata Re DPPs’ Opposition to Defendants’ Motion to Compel Plaintiffs’ Compliance with  
8 Defendants’ Requests for Production, Set Four, and Defendant Synta’s Interrogatories, Set One.

9 3. Portions of DPPs’ Corrected Opposition describe, characterize, quote, or otherwise  
10 illustrate documents or portions of documents designated by Defendants as “Confidential” or  
11 “Highly Confidential – Attorneys’ Eyes Only” in this matter under the Stipulated Protective Order.  
12 (ECF No. 137.)

13 4. Attached as **Exhibit 1** is a true and correct copy of DPPs’ Corrected Opposition to  
14 Defendants’ Motion to Compel Plaintiffs’ Compliance with Defendants’ Requests for Production,  
15 Set Four, and Defendant Synta’s Interrogatories, Set One.

16 I swear under penalty of perjury under the laws of the United States that the foregoing is  
17 true and correct.

18  
19 Dated: March 30, 2023

By: /s/ Matthew Borden  
Matthew Borden